

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: October 12, 2017

Item Number: 031

Office of Real Estate Services

Authorize amendments to prior Council action authorizing negotiation and execution of an encroachment agreement with Austin Convention Enterprises, Inc. for an aerial walkway bridge and surface and subsurface piers within the East 4th Street, located at 400 1/2 Neches Street to correct the square footage of aerial and subsurface encroachments.

District(s) Affected: District 9

Lead Department	Office of Real Estate Services.
Fiscal Note	There is no fiscal impact. A Fiscal note is not required.
Prior Council Action	June 15, 2017 Item #20 - Approved on Consent on Council Member Garza's motion, Council Member Houston's second on an 11-0 vote.
For More Information	Andy Halm, Office of Real Estate Services, (512) 974-7185; Lauraine Rizer, Office of Real Estate Services, (512) 974-7078; Megan Herron, Office of Real Estate Services, (512) 974-5649.
Council Committee, Boards and Commission Action	<p>April 11, 2017 - Planning Commission defer to Design Commission, Downtown Commission and Urban Transportation Commission for recommendation and postpone till May 23, 2017 was approved 9-0. Commissioner Thompson abstained and Commissioner Schissler recused. Chair Oliver and Commissioner White absent.</p> <p>May 23, 2017 - Approved by Planning Commission on a vote of 7-2. Commissioner Anderson and Vela voted nay. Commissioners De Hoyos Hart, Schissler, Thompson and White absent. Conditions included: Recommendation by Downtown Commission,</p>

	<p>Recommendations by Design Commission, and Recommendations by Urban Transportation Commission. Additional Conditions: Allow the installation of banners with the approval of the Austin Transportation Department. Require permanent signage informing citizen the overhead pedestrian bridge is for public use.</p> <p>April 19, 2017 - Approved by Downtown Commission on a vote of 8-0. Commissioners Bristol and Sargent absent. Recommendation: no advertising or signage affixed to the exterior of the pedestrian skyway, no smoking allowed on the pedestrian skyway, an environmental assessment conducted on the effect of the pedestrian skyway design on birds or other airborne wildlife.</p> <p>May 9, 2017 - Approved by Urban Transportation Commission on a vote of 7-0-2 with Commissioners Hennessey and Davis abstaining, and Commissioner Hosek absent. Recommendation: consider additional options to maximize capacity.</p> <p>May 22, 2017 - Approved by Design Commission on a vote of 8-1, Commissioner Kenny voted nay. Commissioner Carroll absent. Recommendations: The sky bridge shall allow for public access during the hours which Capital Metro is running trains. The Hilton shall coordinate with the Convention Center to ensure a public access point for the south side of the sky bridge. Convention Center doors shall be unlocked for pedestrian access and the Hilton lobby and employees shall welcome the public to utilize the structure. The Hilton shall coordinate with ATD and Capital Metro to further enhance ground level pedestrian safety, including adding safety measures at the hotel entry directly adjacent to the tracks. .</p>
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Additional Backup Information:

A request has been received for the aerial and subsurface encroachment of the East 4th Street and Neches Street rights-of-way by a proposed aerial walkway bridge, surface piers and subsurface pier with a cap footing at sidewalk grade level. The aerial encroachment area is approximately 2,722 square feet and consists of the aerial walkway bridge. The surface encroachment combined area is approximately 15 square feet and consists of piers. The subsurface encroachment combined area is approximately 61 square feet and consists of subsurface pier with a cap footing at sidewalk grade level.

Council previously approved a Recommendation for Council Action, item number 20 on the June 15, 2017 City Council agenda, which showed a total of 2,451 square feet for the aerial

encroachment and a 12 square foot subsurface encroachment. This RCA is submitted to correctly reflect the proposed aerial encroachment area of approximately 2,722 square feet, for the aerial walkway bridge, 15 square feet for an additional surface encroachment, and an approximately 61 square feet subsurface encroachment for piers with a cap footing at sidewalk grade level.

The total updated appraised value for the encroachments is \$156,157. A check in the amount of the appraised value has been submitted to the Office of Real Estate Services for processing upon approval of this encroachment request. In addition the applicant has reimbursed the City for the cost of the appraisal and the cost of the notice requirements sent by certified mail, return receipt requested, to registered neighborhood associations whose boundaries include the area of proposed encroachment. No objections were received. .